

REMARKS

Currently, claims 18, 22, and 24-36, including independent claim 18, are pending in the present application. Independent claim 18, for instance, is directed to a biodegradable fibrous web comprising biodegradable polymer fibers. The web has a durable hydrophilic surface coated with a hydrophilic polymeric material in an amount of from about 0.01 to about 2.0 percent by weight, based on the dry weight of the web. The hydrophilic polymeric material is a polysaccharide or a modified polysaccharide. The hydrophilic polymeric material will not significantly suppress the surface tension of an aqueous medium with which the web may come in contact.

In the Office Action, independent claim 18 was rejected under 35 U.S.C. § 103(a) as being obvious over U.S. Patent No. 6,440,556 to Matsui, et al. in view of U.S. Patent No. 6,051,249 to Samuelson. Matsui, et al. is directed to a conjugate fiber formed from aliphatic polyester components (A) and (B) having different crystallinities. In one embodiment, for example, a conjugated fiber is formed that includes a high crystalline aliphatic polyester A3 and a composition B3 that includes both a low crystalline aliphatic polyester and a hydrophilic compound. (Cols. 33-34). The hydrophilic compound of the composition B3 enhances the sensitivity of the conjugated fiber to water and thereby allows it to be divided upon alkali treatment into fine fibers. (Cols. 36-37). The hydrophilic compound may include a polyether or organic compound having a sulfo, carboxyl, phosphate, or amino group. (Col. 34, ll. 28-40). As correctly noted by the Examiner, however, Matsui, et al. fails to disclose various limitations of independent claim 18, including a coating that contains a polysaccharide or a modified polysaccharide.

Nevertheless, the Office Action cited Samuelsen in combination with Matsui, et al. in attempt to render obvious independent claim 18. Samuelsen is directed to a dressing (e.g., release liner) that contains a carrier film and an adhesive. Samuelsen lists numerous polymers that may be used to form the carrier film, such as polyolefins, polyesters, polyurethanes, polyamides, etc. One of the many polymers in this list is a thermoplastic polysaccharide. Based on this recitation of a polysaccharide, the Office Action concluded that it would have been obvious to employ “the coating of Samuelsen on the fibers/fabric of Matsui et al. . . . to create a laminate that has superior wicking properties.” Applicants respectfully note, however that the polysaccharide cursorily mentioned in Samuelsen is only used to construct the carrier film – it is not a *coating* for a fibrous web. One of ordinary skill in the art would certainly not have been motivated to selectively choose one of many possible polymers used to construct a carrier film for use as a coating on the conjugate fiber of Matsui, et al.

Regardless, even if the references are somehow combined, they still fail to disclose each limitation of independent claim 18. For example, as noted above, independent claim 18 is directed to a fibrous web that has a surface *coated* with a hydrophilic polymeric material. Matsui, et al. discloses a conjugate fibers formed from multiple components, one of which may contain a hydrophilic compound. The component that includes the hydrophilic compound, however, forms part of the fiber and is *not a coating* on a fibrous web.

Thus, for at least the reasons set forth above, Applicants respectfully submit that independent claim 18 patentably defines over the cited references, taken singularly or in any proper combination. Further, the dependent claims are also patentable for at least

the same reasons set forth above with respect to independent claim 18. It should be noted, however, that the patentability of the dependent claims does not hinge on the patentability of independent claim 18, and that the dependent claims may be patentable for additional reasons.

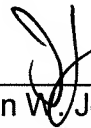
The previous claims were also rejected in the Office Action under the judicially created doctrine of obviousness-type double patenting in view of U.S. Application Serial No. 10/734,006, which was filed on the same date as the present application. To the extent even necessary, Applicants agree to submit a terminal disclaimer to obviate this rejection when the application is otherwise in condition for allowance.

It is believed that the present application is in complete condition for allowance and favorable action, therefore, is respectfully requested. Examiner Singh is invited and encouraged to telephone the undersigned, however, should any issues remain after consideration of this Amendment.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,

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